



House of Representatives

General Assembly

File No. 204

February Session, 2014

Substitute House Bill No. 5368

House of Representatives, March 31, 2014

The Committee on Planning and Development reported through REP. ROJAS of the 9th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT ESTABLISHING THE POINT STRATFORD
INFRASTRUCTURE IMPROVEMENT DISTRICT WITHIN THE TOWN OF
STRATFORD.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (*Effective July 1, 2014*) (a) For purposes of this section:
- 2 (1) "District" means that certain real property, situated in the town
- 3 of Stratford, the county of Fairfield and the state of Connecticut, the
- 4 Point Stratford Infrastructure Improvement District, a body politic and
- 5 corporate, subject to sections 7-324 to 7-329, inclusive, of the general
- 6 statutes, except as otherwise provided in this section and consisting of
- 7 the area bounded and described as follows: PARCEL 1: Beginning at
- 8 an iron pin found at the corner formed by the intersection of the
- 9 northeasterly right-of-way line of Main Street, a variable width
- 10 roadway, also known as Connecticut Route 113 and the southerly line
- 11 of property of lands now or formerly of AVCO Corporation. Said point
- 12 of Beginning having coordinates North 623,991.08 East 895,831.26 and

13 running thence from said point of Beginning the following several
14 courses: along the said lands of AVCO North 58°-57'-31" East for a
15 distance 708.00' to a point on the line of mean high water of the
16 Housatonic River as located on March 15, 2008; along the said mean
17 high water of the Housatonic River the following forty-five (45)
18 courses: thence South 07°-07'-47" West for a distance 54.82' to a point;
19 thence South 00°-58'-00" West for a distance of 105.46' to a point; thence
20 South 14°-38'-00" West for a distance of 78.71' to a point; thence South
21 07°-37'-06" West for a distance of 52.90' to a point; thence South 66°-50'-
22 11" East for a distance of 25.48' to a point; thence South 74°-57'-24" East
23 for a distance of 67.13' to a point; thence North 81°-38'-44" East for a
24 distance of 50.28' to a point; thence North 80°-20'-31" East for a distance
25 of 47.25' to a point; thence North 81°-00'-49" East for a distance of 81.33'
26 to a point; thence South 88°-38'-38" East for a distance of 102.76' to a
27 point; thence South 65°-15'-59" East for a distance of 65.98' to a point;
28 thence South 48°-45'-42" East for a distance of 82.84' to a point; thence
29 South 39°-55'-47" East for a distance of 99.93' to a point; thence South
30 38°-48'-02" East for a distance of 103.98' to a point; thence South 40°-56'-
31 25" East for a distance of 104.90' to a point; thence South 68°-02'-57"
32 West for a distance of 142.77' to a point; thence South 72°-19'-52" East
33 for a distance of 180.88' to a point; thence South 73°-00'-25" East for a
34 distance of 152.62' to a point; thence South 82°-02'-24" East for a
35 distance 195.44' to a point; thence North 31°-01'-29" East for a distance
36 of 89.29' to a point; thence North 33°-54'-44" East for a distance of 93.77'
37 to a point; thence North 32°-28'-24" East for a distance of 150.78' to a
38 point; thence North 35°-08'-16" East for a distance of 156.23' to a point;
39 thence North 32°-07'-10" East for a distance of 132.35' to a point; thence
40 North 37°-53'-18" East for a distance of 150.41' to a point; thence South
41 84°-57'-26" East for a distance of 74.85' to a point; thence South 44°-25'-
42 02" East for a distance of 56.21' to a point; thence South 43°-25'-54"
43 West for a distance of 103.45' to a point; thence South 41°-33'-07" West
44 for a distance of 97.15' to a point; thence South 37°-53'-51" West for a
45 distance of 83.71' to a point; thence South 31°-38'-56" West for a
46 distance of 106.25' to a point; thence South 36°-29'-32" West for a
47 distance of 104.13' to a point; thence South 35°-40'-13" West for a

48 distance of 102.78' to a point; thence South 30°-34'-37" West for a
49 distance of 93.59' to a point; thence South 21°-40'-25" West for a
50 distance of 41.66' to a point; thence South 16°-05'-41" East for a distance
51 of 73.36' to a point; thence South 63°-14'-58" East for a distance of
52 104.23' to a point; thence South 67°-33'-47" East for a distance of 115.67'
53 to a point; thence North 88°-48'-09" East for a distance of 109.96' to a
54 point; thence North 83°-58'-36" East for a distance of 87.87' to a point;
55 thence South 82°-37'-41" East for a distance of 79.29' to a point; thence
56 South 66°-40'-14" East for a distance of 51.52' to a point; thence South
57 60°-08'-32" East for a distance of 55.12' to a point; thence North 80°-35'-
58 12" East for a distance of 85.21' to a point; thence North 73°-28'-08" East
59 for a distance of 41.25' to the lands now or formerly of Alice L.
60 Sniffens; thence along the said lands of Sniffens South 00°-16'-18" West
61 for a distance of 194.63' to a point and P.K. Nail Found on the
62 Northerly line of Sniffen Lane, 50' width; thence along said Sniffen
63 Lane North 86°-14'-22" West for a distance of 393.45' to a point, a Drill
64 Hole found at an angle point in the said Sniffen Lane line; thence
65 crossing the existing Sniffen Lane, (50' wide) South 18°-07'-01" East for
66 a distance of 53.96' to a point and Iron Pin Found on the Southerly line
67 of Sniffen Lane; thence South 40°-10'-22" East for a distance of 437.55'
68 to a point; thence South 49°-49'-38" West for a distance of 233.16' to a
69 point; thence South 20°-32'-22" East for a distance of 27.70' to a point;
70 thence North 61°-32'-42" East for a distance of 67.63' to a point; thence
71 South 89°-44'-13" East for a distance of 39.20' to a point; thence South
72 70°-25'-28" East for a distance of 37.95' to a point; thence South 20°-11'-
73 30" West for a distance of 58.82' to a point; thence South 42°-31'-38"
74 East for a distance of 24.33' to a point; thence South 59°-20'-33" East for
75 a distance of 31.26' to a point; thence South 04°-10'-54" East for a
76 distance of 67.20' to a point; thence South 62°-00'-37" West for a
77 distance of 328.81' to a point; thence South 26°-53'-53" East for a
78 distance of 114.18' to a point; thence North 89°-52'-26" East for a
79 distance of 210.43' to a point; thence South 49°-49'-38" West for a
80 distance of 790.00' to a point on the said easterly right-of-way line of
81 Main Street; thence along the said easterly right-of-way line of Main
82 Street North 52°-58'-22" West for a distance of 568.27' to a point; thence

83 still along the said easterly right-of-way line of Main Street North 44°-
84 56'-22" West for a distance of 296.88' to a point, at a Town of Stratford
85 Brass Monument at the corner formed by the intersection of the
86 easterly right-of-way line of Main Street, a variable width roadway,
87 also known as Connecticut Route 113 and the southerly line of Sniffen
88 Lane (50' Wide) and having coordinates North 622,306.37 East
89 897,171.93; thence crossing existing Sniffen Lane North 44°-49'-21"
90 West for a distance of 50.18' to a point, an X Cut Set at the corner
91 formed by the intersection of the said Sniffen Lane line and the
92 Easterly line of Main Street, variable width, also known as Connecticut
93 Route 113 and having coordinates North 622,341.96 East 897,136.56;
94 thence along said Main Street North 44°-56'-22" West for a distance of
95 358.35' to a Rebar set; thence still along Main Street line North 40°-09'-
96 02" West for a distance of 504.76' to a Rebar; thence still along Main
97 Street line North 41°-04'-47" West for a distance of 620.17' to a Concrete
98 Connecticut Highway Department (C.H.D.) Monument Found (poor
99 condition); thence still along said Main Street line North 35°-40'-47"
100 West for a distance of 228.82' to a point; thence still along said Main
101 Street line North 29°-33'-17" West for a distance of 104.35' to a T Cut;
102 thence still along the said Main Street line North 27°-05'-29" West for a
103 distance of 231.58' to a point; thence still along the said Main Street line
104 North 25°-52'-39" West for a distance of 65.98' to an Iron Pin found and
105 to the point or place of the Beginning. Parcel 1 contains an area of
106 3,256,596 square feet or 74.76 acres. PARCEL 2: Beginning at a concrete
107 Connecticut Highway Department Monument, found to be in fair
108 condition, at the southerly line of lands now or formerly of Timothy
109 Ryan. Said point of Beginning having coordinates North 622,895.12
110 East 896,543.86 also being located on the westerly right-of-way line of
111 Main Street, a variable width roadway, also known as Connecticut
112 Route 113, at a jog in the said right-of-way line where the width
113 changes from an approximate width of 60' to 65' and running thence
114 from said point of Beginning the following several courses: along the
115 said right-of-way line of said Main Street South 40°-11'-51" East for a
116 distance of 329.25 feet to a cross cut on the northerly line of lands now
117 or formerly of the City of Bridgeport; thence along the said lands of the

118 City of Bridgeport South 49°-48'-29" West for a distance of 596.45 feet
119 to a rebar on the easterly line of the lands now or formerly of
120 Bridgeport Airport; thence along the said easterly line of the lands now
121 or formerly of Bridgeport Airport North 28°-55'-11" West for a distance
122 of 218.22' to a rebar on the said southerly line of lands of Ryan; thence
123 along said lands of Ryan North 38°-03'-09" East for a distance of 565.63'
124 to the point or place of Beginning. Parcel 2 contains an area of 154,989
125 square feet or 3.56 acres. The project boundaries shall also include any
126 off-site locations mandated by any agency, authority or other
127 governmental entity for improvements associated with the project.

128 (2) "Voter" means (A) any person who is an elector of the district, (B)
129 any citizen of the United States of the age of eighteen years or more
130 who, jointly or severally, is liable to the district for taxes assessed
131 against such citizen on an assessment of not less than one thousand
132 dollars on the last-completed grand list of such district, as the case may
133 be, or who would be so liable if not entitled to an exemption under
134 subdivision (17), (19), (22), (23) or (26) of section 12-81 of the general
135 statutes, or (C) any holder of record of an interest in real property
136 within the district.

137 (3) "Bonds" means bonds, notes or other obligations authorized by
138 this section, and refunding bonds, notes or other obligations to
139 refinance the same.

140 (b) (1) Upon the petition of fifteen or more persons eligible to vote in
141 the town of Stratford, specifying the district for any or all of the
142 purposes set forth in this section, the mayor of such town shall call a
143 meeting of the voters to act upon such petition, which meeting shall be
144 held at such place within such town and such hour as the mayor
145 designates, not later than thirty days after such petition has been
146 received by the mayor. Such meeting shall be called by publication of a
147 written notice of the same, signed by the mayor, at least fourteen days
148 before the time fixed for such meeting in two successive issues of some
149 newspaper published or circulated in such town. Not later than
150 twenty-four hours before such meeting, (A) two hundred or more

151 voters or ten per cent of the total number of voters of such proposed
152 district, whichever is less, may petition the mayor, in writing, for a
153 referendum of the voters of such proposed district, or (B) the mayor in
154 his or her discretion may order a referendum of the voters of such
155 proposed district, on the sole question of whether the proposed district
156 should be established. Any such referendum shall be held not less than
157 seven nor more than fourteen days after the receipt of such petition or
158 the date of such order, on a day to be set by the mayor for a vote by
159 paper ballots or by a "yes" or "no" vote on the voting machines, during
160 the hours between twelve o'clock noon and eight o'clock p.m.; except
161 that such town may, by vote of its town council, provide for an earlier
162 hour for opening the polls but not earlier than six o'clock a.m.,
163 notwithstanding the provisions of any special act. If voters
164 representing at least two-thirds of the assessments of holders of record
165 within the proposed district cast votes in such referendum in favor of
166 establishing the proposed district, the mayor shall reconvene such
167 meeting not later than seven days after the day on which the
168 referendum is held. Upon approval of the petition for the proposed
169 district by voters representing at least two-thirds of the assessments of
170 holders of record within the proposed district present at such meeting,
171 or if a referendum is held, upon the reconvening of such meeting after
172 the referendum, the voters, upon the vote of voters representing a
173 majority of assessments of holders of record within the proposed
174 district, shall choose necessary officers therefor to hold office until the
175 first annual meeting thereof; and the district shall, upon the filing of
176 the first report filed in the manner provided in subsection (c) of section
177 7-325 of the general statutes, thereupon be a body corporate and politic
178 and have the powers provided in sections 7-324 to 7-329, inclusive, of
179 the general statutes, not inconsistent with the general statutes or this
180 section, in relation to the objects for which it was established, that are
181 necessary for the accomplishment of such objects, including the power
182 to lay and collect taxes. The clerk of such district shall cause its name
183 and a description of its territorial limits and of any additions that may
184 be made thereto to be recorded in, and a caveat be placed upon, the
185 land records of the town of Stratford.

186 (2) At the meeting called for the purpose of establishing the district
187 as provided in subdivision (1) of this subsection, the voters may
188 establish the district for any or all of the following purposes: To
189 extinguish fires, to light streets, to plant and care for shade and
190 ornamental trees, to plan, lay out, acquire, construct, maintain and
191 finance roads, sidewalks, crosswalks, drainage systems, sewers and
192 sewage treatment facilities, utility improvements and connections,
193 parking facilities, open space, bulkhead construction and repairs,
194 dredging and construction, environmental remediation and other
195 infrastructure improvements and to acquire, construct, maintain and
196 regulate the use of recreational facilities including a marina, to plan,
197 lay out, acquire, construct, reconstruct, repair, maintain, supervise and
198 manage a flood or erosion control system, and to plan, lay out, acquire,
199 construct, maintain, operate, finance and regulate the use of a
200 community water system, all as hereinafter referred to as the
201 "improvements". The district may contract with a town, city, borough
202 or other district for carrying out any of the purposes or the purchase or
203 sale of any of the improvements for which such district was
204 established.

205 (3) At the meeting called for the purpose of establishing the district
206 as provided in subdivision (1) of this subsection, the voters shall fix the
207 date of the annual meeting of the voters for the election of district
208 officers and the transaction of such other business as may properly
209 come before such annual meeting. At such organizational meeting of
210 the district, the voters shall elect four directors, provided, upon its
211 organization and at all times thereafter, one additional director may be
212 appointed by the mayor of the town of Stratford. From such directors,
213 the voters shall elect at the organizational meeting a president, a vice-
214 president, a clerk and a treasurer to serve until the first annual meeting
215 for the election of officers and thereafter such officers shall be elected
216 annually. Not fewer than three members of the board of directors shall
217 be residents of the state of Connecticut. Subject to the provisions of
218 subdivision (4) of this subsection, (A) not fewer than fifteen voters of
219 the district shall constitute a quorum for the transaction of business at
220 such organizational meeting of the district; and (B) if fifteen voters are

221 not present at such meeting, the mayor may adjourn such meeting
222 from time to time, until at least fifteen voters are present. Special
223 meetings of the district may be called on the application of ten per cent
224 of the total number of voters of such district or twenty of the voters of
225 such district, whichever is less, or by the president or any three
226 directors upon giving notice as provided in this subdivision. Any
227 special meeting called on the application of the voters shall be held not
228 later than twenty-one days after receiving such application. Notice of
229 the holding of the annual meeting and all special meetings shall be
230 given by publication of a notice of such meetings in a newspaper
231 having a general circulation in such district at least ten days before the
232 day of such meetings, signed by the president or any three directors,
233 which notice shall designate the time and place of such meetings and
234 the business to be transacted thereat. Two hundred or more persons or
235 ten per cent of the total number of voters of such district, whichever is
236 less, may petition the clerk of such district, in writing, at least twenty-
237 four hours prior to any such meeting, requesting that any item or items
238 on the call of such meeting be submitted to the voters not less than
239 seven or more than fourteen days thereafter, on a day to be set by the
240 district meeting or, if the district meeting does not set a date, by the
241 board of directors, for a vote by paper ballots or by a "yes" or "no" vote
242 on the voting machines, during the hours between twelve o'clock noon
243 and eight o'clock p.m., except that any district may, by vote of its
244 board of directors, provide for an earlier hour for opening the polls but
245 not earlier than six o'clock a.m. The paper ballots or voting machine
246 ballot labels, as the case may be, shall be provided by the clerk. When
247 such a petition has been filed with the clerk, the president, after
248 completion of other business and after reasonable discussion shall
249 adjourn such meeting and order such vote on such item or items in
250 accordance with the petition, and any item so voted may be rescinded
251 in the same manner. The clerk shall phrase such item or items in a
252 form suitable for printing on such paper ballots or ballot labels. Subject
253 to the provisions of subdivision (4) of this subsection, (i) not fewer than
254 fifteen voters of the district shall constitute a quorum for the
255 transaction of business at any meeting of the district; (ii) if fifteen

256 voters are not present at such meeting, the president of the district or,
257 in such president's absence, the vice-president, may adjourn such
258 meeting from time to time, until at least fifteen voters are present; and
259 (iii) all meetings of the district where a quorum is present may be
260 adjourned from time to time by a vote of a majority of the voters
261 voting on the question. At any annual or special meeting, the voters
262 may, by a majority vote of those present, discontinue any purposes for
263 which the district is established or undertake any additional purpose
264 or purposes enumerated in subdivision (2) of this subsection.

265 (4) (A) A quorum for the transaction of business at the meeting
266 called for the purpose of establishing the district, as provided in
267 subdivisions (1) and (3) of this subsection, shall be either fifteen voters
268 of such district or a majority of the holders of record of interests in real
269 property within such district, as long as the assessments of such
270 holders of record constitute more than one-half of the total of
271 assessments for all interests in real property within such district. If
272 fifteen voters or a majority of the holders of record of interests in real
273 property within such district are not present at such meeting or the
274 assessments of such holders of record constitute less than one-half of
275 the total of assessments for all interests in real property within such
276 district, the mayor may adjourn such meeting, from time to time, until
277 at least fifteen voters or a majority of the holders of record of interests
278 in real property within such district are present and the assessments of
279 such holders of record constitute more than one-half of the total of
280 assessments for all interests in real property within such district.

281 (B) For the transaction of business at any other meeting of the
282 district, a quorum shall be either fifteen voters of the district or a
283 majority of the holders of record of interests in real property within
284 such district, as long as the assessments for such holders of record
285 constitute more than one-half of the total of assessments for all
286 interests in real property within such district. If fifteen voters or a
287 majority of the holders of record of interests in real property within
288 such district are not present at such meeting or the assessments of such
289 holders of record constitute less than one-half of the total assessments

290 for all interests in real property within such district, the president of
291 the district or, in such president's absence, the vice-president, may
292 adjourn such meeting, from time to time, until at least fifteen voters or
293 a majority of the holders of record of interests in real property within
294 such district are present and the assessments of such holders of record
295 constitute more than one-half of the total of assessments for all
296 interests in real property within such district.

297 (5) In any case in which an action for a vote by the voters of the
298 district is to be initiated by the petition of such voters, in addition to
299 such other requirements as the general statutes or any special act may
300 impose, such petition shall be on a form prescribed or approved by the
301 clerk of such district, and each page of such petition shall contain a
302 statement, signed under penalties of false statement, by the person
303 who circulated the same, setting forth such circulator's name and
304 address, and stating that each person whose name appears on said
305 page signed the same in person in the presence of such circulator, that
306 the circulator either knows each such signer or that the signer
307 satisfactorily identified himself to the circulator and that all the
308 signatures on said page were obtained not earlier than six months
309 prior to the filing of said petition. Any page of a petition that does not
310 contain such a statement by the circulator shall be invalid. Any
311 circulator who makes a false statement in the statement hereinbefore
312 provided shall be subject to the penalty provided for false statement.
313 No petition shall be valid for any action for a vote by the voters at any
314 regular or special district meeting unless such petition shall be
315 circulated by a voter eligible to vote in such district.

316 (c) Whenever the officers of such district vote to terminate its
317 corporate existence and whenever a petition signed by ten per cent of
318 the total voters of such district or twenty of the voters of such district,
319 whichever is less, applying for a special meeting to vote on the
320 termination of the district is received by the clerk, the clerk shall call a
321 special meeting of the voters of such district, the notice of which shall
322 be signed by the officers thereof, by advertising the same in the same
323 manner as provided in section 7-325 of the general statutes. Not later

324 than twenty-four hours before any such meeting, two hundred or more
325 voters or ten per cent of the total number of voters, whichever is less,
326 may petition the clerk of the district, in writing, that a referendum on
327 the question of whether the district should be terminated be held in the
328 manner provided in section 7-327 of the general statutes. If, at such
329 meeting, a two-thirds majority of the voters present vote to terminate
330 the corporate existence of the district, or, if a referendum is held, two-
331 thirds of the voters casting votes in such referendum vote to terminate
332 the corporate existence of the district, the officers shall proceed to
333 terminate the affairs of such district. The district shall pay all
334 outstanding indebtedness and turn over the balance of the assets of
335 such district to the town of Stratford, if the legislative body of the town
336 authorizes such action. No district shall be terminated under this
337 subsection until all of its outstanding indebtedness is paid unless the
338 legislative body of the town of Stratford agrees, in writing, to assume
339 such indebtedness. On completion of the duties of the officers of such
340 district, the clerk shall cause a certificate of the vote of such meeting to
341 be recorded in the land records of the town of Stratford and the clerk
342 shall notify the Secretary of the Office of Policy and Management.

343 (d) (1) For purposes of voting at meetings held by such district, any
344 tenant in common of any interest in real property shall have a vote
345 equal to the fraction of such tenant in common's ownership of such
346 interest. Any joint tenant of any interest in real property shall vote as if
347 each such tenant owned an equal fractional share of such real
348 property. A corporation shall have its vote cast by the chief executive
349 officer of such corporation, or such officer's designee. Any entity that is
350 not a corporation shall have its vote cast by a person authorized by
351 such entity to cast its vote. No owner shall have more than one vote.

352 (2) No holder of record of an interest in real property shall be
353 precluded from participating in any district meeting or referendum
354 because of the form of entity that holds such interest, whether such
355 holder of record is (A) a corporation, partnership, unincorporated
356 association, trustee, fiduciary, guardian, conservator or other form of
357 entity, or any combination thereof, or (B) an individual who holds

358 interests jointly or in common with another individual or individuals,
359 or with any one or more of the entities listed in subparagraph (A) of
360 this subdivision.

361 (e) Notwithstanding any provision of the general statutes, including
362 sections 7-324 to 7-329, inclusive, of the general statutes, the district
363 shall have the power to assess, levy and collect benefit assessments
364 upon the land and buildings in the district that, in its judgment, are
365 benefited by the improvements.

366 (f) (1) Notwithstanding any provision of the general statutes,
367 including sections 7-324 to 7-329, inclusive, of the general statutes, the
368 district shall have the power to fix, revise, charge, collect, abate and
369 forgive reasonable taxes, fees, rents and benefit assessments, and other
370 charges for the cost of the improvements, financing costs, operating
371 expenses and other services and commodities furnished or supplied to
372 the real property in the district in accordance with the applicable
373 provisions of the general statutes that apply to districts established
374 under section 7-325 of the general statutes, and this section and in the
375 manner prescribed by the district. Notwithstanding any provision of
376 the general statutes, the district may make grants for, or pay the entire
377 cost of any improvements, including the costs of financing such
378 improvements, capitalized interest and the funding of any reserve
379 funds necessary to secure such financing or the debt service of bonds
380 or notes issued to finance such costs, from taxes, fees, rents, benefit
381 assessments or other revenues and may assess, levy and collect said
382 taxes, fees, rents or benefit assessments concurrently with the issuance
383 of bonds, notes or other obligations to finance such improvements
384 based on the estimated cost of the improvements prior to the
385 acquisition or construction of the improvements or upon the
386 completion or acquisition of the improvements. The district and the
387 town of Stratford are authorized to enter into an agreement to share
388 revenue in accordance with section 7-148bb of the general statutes.

389 (2) Notwithstanding any provision of the general statutes, whenever
390 the district constructs, improves, extends, equips, rehabilitates, repairs,

391 acquires or provides a grant for any improvements or finances the cost
392 of such improvements, such proportion of the cost or estimated cost of
393 the improvements and financing thereof, as determined by the district,
394 may be assessed by the district, herein referred to as "benefit
395 assessments", in the manner prescribed by such district, upon the
396 property benefited by such improvements and the balance of such
397 costs shall be paid from the general funds of the district. The district
398 may provide for the payment of such benefit assessments in annual
399 installments, not exceeding thirty, and may forgive such benefit
400 assessments in any single year without causing the remainder of
401 installments of benefit assessments to be forgiven. Benefit assessments
402 to buildings or structures constructed or expanded after the initial
403 benefit assessment may be assessed as if the new or expanded
404 buildings or structures had existed at the time of the original benefit
405 assessment. It is hereby determined that the costs of the improvements
406 benefiting the district whether located within the district or in the town
407 of Stratford are a benefit to all the property within the district.

408 (3) In order to provide for the collection and enforcement of its
409 taxes, fees, rents, benefit assessments and other charges, the district is
410 hereby granted all the powers and privileges with respect thereto as
411 districts organized pursuant to section 7-325 of the general statutes,
412 and as held by the town of Stratford or as otherwise provided in this
413 section. Such taxes, fees, rents, benefit assessments or other charges, if
414 not paid when due, shall constitute a lien upon the premises served
415 and a charge against the owners thereof, which lien and charge shall
416 bear interest at the same rate as delinquent property taxes. Each such
417 lien may be continued, recorded and released in the manner provided
418 for property tax liens and shall take precedence over all other liens or
419 encumbrances except a lien for taxes, benefit assessments, fees, fines,
420 penalties or interest of the town of Stratford.

421 (4) The budget, taxes, fees, rents, benefit assessments and any other
422 charges of the district of general application shall be adopted and
423 revised by the board at least annually not more than thirty days before
424 the beginning of the fiscal year, in accordance with the procedures to

425 be established by the board, at a meeting called by the board, ensuring
426 that interested persons are afforded notice and an opportunity to be
427 heard. The board shall hold at least two public hearings on its schedule
428 of fees, rates, rents, benefit assessments and other charges or any
429 revision thereof before adoption, notice of which shall be delivered to
430 the mayor and the town council of the town of Stratford and be
431 published in at least two newspapers of general circulation in the town
432 of Stratford at least ten days in advance of the hearing. Not later than
433 the date of the publication, the board shall make available to the public
434 and deliver to the mayor and the town council of the town of Stratford
435 the proposed schedule of fees, rates, rents, benefit assessments and
436 other charges. The procedures regarding public hearing and appeal,
437 provided by section 7-250 of the general statutes, shall apply for all
438 benefit assessments made by the district, except that the board shall be
439 substituted for the water pollution control authority. Should the
440 benefit assessments be assessed and levied prior to the acquisition or
441 construction of the improvements, then the amount of the benefit
442 assessments shall be adjusted to reflect the actual cost of the
443 improvements, including all financing costs, once the improvements
444 have been completed, should the actual cost be greater than or less
445 than the estimated costs. Benefit assessments shall be due and payable
446 at such times as are fixed by the board, provided the district shall give
447 notice of such due date not less than thirty days prior to such due date
448 by publication in a newspaper of general circulation in the town of
449 Stratford and by mailing such notice to the owners of the property
450 assessed at their last-known address.

451 (g) (1) Notwithstanding any provision of the general statutes,
452 including sections 7-324 to 7-329, inclusive, of the general statutes,
453 whenever the district has authorized the acquisition or construction of
454 the improvements or has made an appropriation therefor, the district
455 may authorize the issuance of bonds, notes or other obligations to
456 finance the cost of the improvements, the creation and maintenance of
457 reserves required to sell the bonds and the cost of issuance of the
458 bonds, provided no bonds shall be issued prior to the district entering
459 into an interlocal agreement with the town of Stratford, in accordance

460 with the procedures provided by section 7-339c of the general statutes,
461 including at least one public hearing on the proposed agreement and
462 ratification by the town council. The bonds may be secured as to both
463 principal and interest by (A) the full faith and credit of the district, (B)
464 fees, revenues or benefit assessments, or (C) a combination of
465 subparagraphs (A) and (B) of this subdivision. Such bonds shall be
466 authorized by resolution of the board. The district is authorized to
467 secure such bonds by the full faith and credit of the district or by a
468 pledge of or lien on all or part of its revenues, fees or benefit
469 assessments. The bonds of each issue shall be dated, shall bear interest
470 at the rates and shall mature at the time or times not exceeding thirty
471 years from their date or dates, as determined by the board, and may be
472 redeemable before maturity, at the option of the board, at the price or
473 prices and under the terms and conditions fixed by the board before
474 the issuance of the bonds. The board shall determine the form of the
475 bonds, and the manner of execution of the bonds, and shall fix the
476 denomination of the bonds and the place or places of payment of
477 principal and interest, which may be at any bank or trust company
478 within the state of Connecticut and other locations as designated by
479 the board. In case any officer whose signature or a facsimile of whose
480 signature shall appear on any bonds or coupons shall cease to be an
481 officer before the delivery of the bonds, the signature or facsimile shall
482 nevertheless be valid and sufficient for all purposes the same as if the
483 officer had remained in office until the delivery.

484 (2) While any bonds issued by the district remain outstanding, the
485 powers, duties or existence of the district shall not be diminished or
486 impaired in any way that will affect adversely the interests and rights
487 of the holders of the bonds. Bonds issued under this section, unless
488 otherwise authorized by law, shall not be considered to constitute a
489 debt of the state of Connecticut or the town of Stratford, or a pledge of
490 the full faith and credit of the state of Connecticut or the town of
491 Stratford, but the bonds shall be payable solely by the district or as
492 special obligations payable from particular district revenues. Any
493 bonds issued by the district shall contain on their face a statement to
494 the effect that neither the state of Connecticut nor the town of Stratford

495 shall be obliged to pay the principal of the bonds or the interest
496 thereon, and that neither the full faith and credit or taxing power of the
497 state of Connecticut or the town of Stratford is pledged to the payment
498 of the bonds. All bonds issued under this section shall have and are
499 hereby declared to have all the qualities and incidents of negotiable
500 instruments, as provided in title 42a of the general statutes.

501 (h) (1) The board may authorize that the bonds be secured by a trust
502 agreement by and between the district and a corporate trustee, which
503 may be any trust company or bank having the powers of a trust
504 company within the state of Connecticut. The trust agreement may
505 pledge or assign the revenues. Either the resolution providing for the
506 issuance of bonds or the trust agreement may contain covenants or
507 provisions for protecting and enforcing the rights and remedies of the
508 bondholders as may be necessary, reasonable or appropriate and not in
509 violation of law.

510 (2) All expenses incurred in carrying out the trust agreement may be
511 treated as a part of the cost of the operation of the district. (A) The
512 pledge by any trust agreement or resolution shall be valid and binding
513 from time to time when the pledge is made; (B) the revenues or other
514 moneys so pledged and then held or thereafter received by the district
515 shall immediately be subject to the lien of the pledge without any
516 physical delivery thereof or further act; and (C) the lien of the pledge
517 shall be valid and binding as against all parties having claims of any
518 kind in tort, contract or otherwise against the district, irrespective of
519 whether the parties have notice thereof. Notwithstanding any
520 provision of the Uniform Commercial Code, neither this subsection,
521 the resolution or any trust agreement by which a pledge is created
522 need be filed or recorded except in the records of the district, and no
523 filing need be made under title 42a of the general statutes.

524 (i) (A) Bonds issued under this section are hereby made securities in
525 which all public officers and public bodies of the state of Connecticut
526 and its political subdivisions, all insurance companies, trust
527 companies, banking associations, investment companies, executors,

528 administrators, trustees and other fiduciaries may properly and legally
529 invest funds, including capital in their control and belonging to them;
530 and (B) such bonds shall be securities that may properly and legally be
531 deposited with and received by any state or municipal officer or any
532 agency or political subdivision of the state of Connecticut for any
533 purpose for which the deposit of bonds of the state of Connecticut is
534 now or may hereafter be authorized by law.

535 (j) Bonds may be issued under this section without obtaining the
536 consent of the state of Connecticut or the town of Stratford, and
537 without any proceedings or the happening of any other conditions or
538 things other than those proceedings, conditions or things that are
539 specifically required thereof by this section, and the validity of and
540 security for any bonds issued by the district shall not be affected by the
541 existence or nonexistence of the consent or other proceedings,
542 conditions or things.

543 (k) The district and all its receipts, revenues, income and real and
544 personal property shall be exempt from taxation and benefit
545 assessments and the district shall not be required to pay any tax, excise
546 or assessment to or from the state of Connecticut or any of its political
547 subdivisions. The principal and interest on bonds or notes issued by
548 the district shall be free from taxation at all times, except for estate and
549 gift, franchise and excise taxes, imposed by the state of Connecticut or
550 any political subdivision thereof, provided nothing in this section shall
551 act to limit or restrict the ability of the state of Connecticut or the town
552 of Stratford to tax the individuals and companies, or their real or
553 personal property or any person living or business operating within
554 the boundaries of the district.

555 (l) The district shall at all times keep accounts of its receipts,
556 expenditures, disbursements, assets and liabilities, which shall be open
557 to inspection by duly appointed officers or duly appointed agents of
558 the state of Connecticut or the town of Stratford. The fiscal year of the
559 district shall begin on July first and end on the following June thirtieth
560 or as otherwise established by section 7-327 of the general statutes. The

561 district shall be subject to an audit of its accounts in the manner
562 provided in the general statutes.

563 (m) (1) At such time as any construction or development activity
564 financed by bonds issued by the district is taking place, the clerk of the
565 district shall submit project activity reports quarterly to the mayor and
566 the town council of the town of Stratford, the Secretary of the Office of
567 Policy and Management and to the chairpersons of the joint standing
568 committee of the General Assembly having cognizance of matters
569 relating to finance, revenue and bonding.

570 (2) The district shall take affirmative steps to provide for the full
571 disclosure of information relating to the public financing and
572 maintenance of improvements to real property undertaken by the
573 district. Such information shall be provided to any existing residents
574 and to all prospective residents of the district. The district shall furnish
575 each developer of a residential development within the district with
576 sufficient copies of such information to provide each prospective initial
577 purchaser of property in such district with a copy, and any developer
578 of a residential development within the district, when required by law
579 to provide a public offering statement, shall include a copy of such
580 information relating to the public financing and maintenance of
581 improvements in the public offering statement.

582 (n) (1) This section shall be deemed to provide an additional,
583 alternative and complete method of accomplishing the purposes of this
584 section and exercising the powers authorized hereby and shall be
585 deemed and construed to be supplemental and additional to, and not
586 in derogation of, powers conferred upon the district by law and
587 particularly by sections 7-324 to 7-329, inclusive, of the general
588 statutes, provided insofar as the proceedings of this section are
589 inconsistent with any general statute or special act, or any resolution or
590 ordinance of the town of Stratford, this section shall be controlling.

591 (2) Except as specifically provided in this section, all other statutes,
592 ordinances, resolutions, rules and regulations of the state of
593 Connecticut and the town of Stratford shall be applicable to the

594 property, residents and businesses located in the district. Nothing in
 595 this section shall in any way obligate the town of Stratford to pay any
 596 costs for the acquisition, construction, equipping or operation and
 597 administration of the improvements located within the district or to
 598 pledge any money or taxes to pay debt service on bonds issued by the
 599 district except as may be agreed to in any interlocal agreements
 600 executed by the town of Stratford and the district.

601 (o) At the option of the town of Stratford by vote of the town council
 602 of the town of Stratford, the district shall be merged into the town of
 603 Stratford if no bonds are issued by the district not later than four years
 604 after the effective date of this section or after the bonds authorized by
 605 this section are no longer outstanding and any property owned by the
 606 district shall be distributed to the town of Stratford.

607 (p) This section, being necessary for the welfare of the town of
 608 Stratford and its inhabitants, shall be liberally construed to effect the
 609 purposes hereof.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2014	New section

Statement of Legislative Commissioners:

In section 1(b)(1), a duplicate set of subparagraph designations (A) and (B) were removed.

PD Joint Favorable Subst. -LCO

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 15 \$	FY 16 \$
Stratford	Cost	Less than \$10,000	None

Explanation

The bill allows for the establishment of the Point Stratford Infrastructure Improvement District in Stratford. There is a minimal, one-time cost to the Town of Stratford, estimated at less than \$10,000 in FY 15, associated with holding any public meetings or referenda, and with publishing associated public notices necessary to establish the district.

The bill allows the District to issue revenue bonds to support its duties. This has no impact to the town or the State, as the language specifies that such revenue bonds are not the responsibility of the Town of Stratford or the State of Connecticut.

Depending on the extent of services provided by the District, there could be a savings to the Town of Stratford as the costs of providing public services shifts from the Town to the District.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sHB 5368

***AN ACT ESTABLISHING THE POINT STRATFORD
INFRASTRUCTURE IMPROVEMENT DISTRICT WITHIN THE TOWN
OF STRATFORD.***

SUMMARY:

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 14 Nay 1 (03/12/2014)